

Council Meeting – *Agenda*

CITY COUNCIL CALENDAR

Thursday, June 28, 2007 - 7:00 p.m.

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OPENING OF SESSION BY: CITY COUNCIL PRESIDENT LEO R. PIMENTAL

***PRAYER LED BY: REVEREND MANUEL CHAVIER, JR.,
INTERNATIONAL CHURCH OF THE NAZARENE***

PLEDGE OF ALLEGIANCE:

CITATIONS

1. CITATION, Councillor Gomes, honoring the **CAPE VERDEAN RECOGNITION WEEK COMMITTEE-2007** in recognition of their commitment and dedication to the Cape Verdean Community and the City of New Bedford.
2. CITATION, Councillor Gomes, honoring the **CAPE VERDEAN RECOGNITION DAY PARADE COMMITTEE-2007** in recognition of their commitment and dedication to the Cape Verdean Community and the City of New Bedford.
3. CITATION, Councillor Gomes, honoring the **CAPE VERDEAN RECOGNITION WEEK-2007** in recognition of the Cape Verdean Community of the City of New Bedford.

RESOLUTIONS

4. RESOLUTION, Councillor Gonsalves, honoring LAUREN BARBER on the Occasion of her Many Awards during the 2007 Spring Track Season.
5. RESOLUTION, Councillors Lawrence and Morad, honoring ROLAND GENDRON, on his Election as State Commander of the Massachusetts Veterans of Foreign Wars.
6. RESOLUTION, Councillors Coelho, Alves, DeMedeiros, Gonsalves, Gomes and Lawrence, honoring the 10TH ANNIVERSARY OF DAY OF PORTUGAL.

HEARINGS

7. PETITION, NSTAR Electric Company, for location of three (3) 4” conduits in PURCHASE STREET, North of Weld Street.
 - 7a. AN ORDER,
8. PETITION, NSTAR Electric Company for location of one (1) 4” conduit, three (3) 4” conduits and two (2) handholes in MAPLE STREET, West of Orchard Street.
 - 8a. AN ORDER,

9. PETITION, NSTAR Electric Company for location of one (1) handhole in ORCHARD STREET, South of Arnold Street.

9a. AN ORDER,

MAYOR'S PAPERS

M1. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of ANN MARIE LOPES, 12 Mapleview Terrace, New Bedford, MA, as DIRECTOR OF TOURISM AND MARKETING at a salary of Grade M-10 Step 5, \$54,557 per year.

M2. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of FERDINAND FUENTES, 419 Hawthorn Street, New Bedford, MA 02740 as a Member of the HUMAN RELATIONS COMMISSION, replacing Arlene McNamee, who resigned December 2003, and this term will expire December 2009.

M3. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of BENJAMIN B. BAKER, 29 Water Street, Dartmouth, MA 02748 as a Member of the AIRPORT COMMISSION, replacing Normand G. Audette, who resigned February 2006, and whose term will expire December 2007; also requesting a waiver of residency for Mr. Baker.

M4. COMMUNICATION, Mayor Lang, to City Council, submitting a request for WAIVER OF RESIDENCY for BERNICE FORTIER, 76 Cranberry Road, Carver, MA 02330 as a Temporary Full-Time Paramedic EMS employee.

M5. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of PAUL BARTON, 28 Schofield Street, New Bedford, MA 02740 as a SPECIAL POLICE OFFICER.

M5a. APPLICATION,

M6. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of WILLIAM T. CAMBRA, 60 Coggeshall Street, North Dartmouth, MA 02747 as a SPECIAL POLICE OFFICER.

M6a. APPLICATION,

M7. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of THOMAS J. RINGUETTE, 231 Highland Street, New Bedford, MA 02746 as a CONSTABLE.

M7a. APPLICATION,

M8. COMMUNICATION, Mayor Lang, to City Council, submitting the REAPPOINTMENT of PETER M. SULLIVAN, 118 Palmer Street, New Bedford, MA 02740 as a CONSTABLE.

M8a. APPLICATION,

M9. COMMUNICATION, Mayor Lang, to City Council, submitting the APPOINTMENT of JAMES M. ANDRE, JR., 33 Beech Street, New Bedford, MA 02743 as a CONSTABLE.

M9a. APPLICATION,

M10. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER, to accept Massachusetts General Laws Chapter 32B, Section 19 to provide for contracts with health carriers in agreement with public employee committees, subject to written agreement between the parties.

M10a. AN ORDER,

M11. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER to authorize the Treasurer to enter into Compensating Balance Agreements with financial institutions for the period beginning July 1, 2007 through June 30, 2008.

M11a. AN ORDER,

M12. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the appropriation from the OVERLAY RESERVE to the Municipal Account outlined below to be expended and certified by the officers, departments and agencies listed below, to wit:

OVERLAY FY 1990 - \$1,000.00;	OVERLAY FY 1991 - \$1,000.00;
OVERLAY FY 1992 - \$1,000.00;	OVERLAY FY 1993 - \$1,000.00;
OVERLAY FY 1994 - \$500.00;	OVERLAY FY 1995 - \$500.00;
OVERLAY FY 1996 - \$2,000.00;	OVERLAY FY 1998 - \$6,000.00;
OVERLAY FY 2000 - \$8,000.00;	OVERLAY FY 2001 - \$21,000.00;
OVERLAY FY 2002 - \$21,000.00;	OVERLAY FY 2003 - \$15,000.00.

M12a. AN ORDER,

M13. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$1,800.00 from AIRPORT, CHARGES & SERVICES to AIRPORT, SALARIES & WAGES.

M13a. AN ORDER,

M14. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$735.00 from CEMETERY, SALARIES & WAGES to CEMETERY, CHARGES & SERVICES.

M14a. AN ORDER,

M15. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$760.00 from CEMETERY, SALARIES & WAGES to CEMETERY, SUPPLIES & MATERIALS.

M15a. AN ORDER,

M16. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$2,148.00 from MARKETING/TOURISM, CHARGES & SERVICES to MARKETING/TOURISM, SALARIES & WAGES.

M16a. AN ORDER,

M17. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$15,000.00 from MAYORS, SALARIES & WAGES to MAYORS, CHARGES & SERVICES.

M17a. AN ORDER,

M18. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$500.00 from PLANNING, CHARGES & SERVICES to PLANNING, SALARIES & WAGES.

M18a. AN ORDER,

M19. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$9,835.00 from TRAFFIC, CHARGES & SERVICES to TRAFFIC, CAPITAL OUTLAY.

M19a. AN ORDER,

M20. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$1,500.00 from TRAFFIC, CHARGES & SERVICES to TRAFFIC, SALARIES & WAGES.

M20a. AN ORDER,

M21. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$800.00 from ZOO, CHARGES & SERVICES to ZOO, SUPPLIES & MATERIALS.

M21a. AN ORDER,

M22. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$35,000.00 from PUBLIC FACILITIES, CHARGES & SERVICES to PUBLIC FACILITIES, SUPPLIES & MATERIALS.

M22a. AN ORDER,

M23. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$2,000.00 from VETERANS, SALARIES & WAGES to VETERANS, CHARGES & SERVICES.

M23a. AN ORDER,

M24. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$14,000.00 from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES to VETERANS, CHARGES & SERVICES.

M24a. AN ORDER,

M25. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$14,000.00 from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES to EMS, SALARIES & WAGES.

M25a. AN ORDER,

M26. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$135,000.00 from GENERAL GOVERNMENT UNCLASSIFIED to POLICE, SALARIES & WAGES.

M26a. AN ORDER,

M27. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$28,407.31 from GENERAL GOVERNMENT UNCLASSIFIED, CHARGES & SERVICES to MEDICAID BILLING.

M27a. AN ORDER,

M28. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$380,000.00 from TREASURERS DEBT REQUIRED to STABILIZATION FUND.

M28a. AN ORDER,

M29. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$100,000.00 from GENERAL GOVERNMENT UNCLASSIFIED to STABILIZATION FUND.

M29a. AN ORDER,

M30. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$29,000.00 from DPI/HIGHWAYS, SALARIES & WAGES to STABILIZATION FUND.

M30a. AN ORDER,

M31. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER for the TRANSFER of \$20,900.00 from DPI/HIGHWAYS, SUPPLIES & MATERIALS to STABILIZATION FUND.

M31a. AN ORDER,

M32. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Health Department, known as FINES/FORFEITURES REVOLVING FUND, whose purpose is for the collection

of health-related fines originally paid to the State, but now paid to the City due to the establishment of this fund, whose revenues and amount limited to be spent estimated at \$4,750.00 is hereby authorized for FISCAL YEAR 2008.

M32a. AN ORDER,

M33. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Library Department, known as LIBRARY EQUIPMENT REVOLVING FUND, whose purpose is to provide and maintain photocopying and equipment at the Main Library and branches whose revenues and amount limited to be spent estimated at \$10,000.00 is hereby authorized for FISCAL YEAR 2008.

M33a. AN ORDER,

M34. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as COUNCIL ON AGING NORTH END SENIOR PROGRAM, whose purpose is to provide direct programming events at the senior center, whose revenues collected and amount limited to be spent estimated at \$800.00 is hereby authorized for FISCAL YEAR 2008.

M34a. AN ORDER,

M35. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as COUNCIL ON AGING BUS PROGRAM, whose purpose is to provide a transportation program for seniors for shopping trips to local department and grocery stores, as well as other trips, whose revenues collected and amount limited to be spent estimated at \$5,400.00 is hereby authorized for FISCAL YEAR 2008.

M35a. AN ORDER,

M36. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as COUNCIL ON AGING MEDICAL VAN, whose purpose is to provide transportation for seniors to medical appointments, whose revenues collected and amount limited to be spent estimated at \$16,730.00 is hereby authorized for FISCAL YEAR 2008.

M36a. AN ORDER,

M37. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as COUNCIL ON AGING PHOTO I.D., whose purpose is producing identification badges for seniors, handicap individuals, residents, organizations, etc., whose revenues and amount limited to be spent estimated at \$ 1,355.00 is hereby authorized for FISCAL YEAR 2008.

M37a. AN ORDER,

M38. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as COUNCIL ON AGING SENIOR CITIZENS ACTIVITIES, whose purpose is to provide direct programming activities at the senior center, whose revenues and amount limited to be spent estimated at \$3,552.00 is hereby authorized for FISCAL YEAR 2008.

M38a. AN ORDER,

M39. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as RECREATION SENIOR TRAVEL AGENCY REVOLVING FUND,

whose purpose is to support day trips for seniors, whose revenues and amount limited to be spent estimated at \$131,000.00 is hereby authorized for FISCAL YEAR 2008.

M39a. AN ORDER,

M40. COMMUNICATION, Mayor Lang, to City Council, submitting an ORDER and request that, in accordance with M.G.L. Chapter 44, Section 53E ½, revolving fund under the control of the Community Services Department, known as RECREATION REVOLVING FUND, whose purpose is to provide direct program support for each of the sites, including entertainment, education and recreational expenses/services for the City's senior citizens, whose revenues collected and amount limited to be spent estimated at \$5,164.00 is hereby authorized for FISCAL YEAR 2008.

M40a. AN ORDER,

NEW BUSINESS

10. REPORT, Committee on Appointments & Briefings, recommending to the City Council APPROVAL of the APPOINTMENT of FRANKLIN A. ECCLESTON, 16 Atlantic Street, New Bedford, MA 02740, as a MEMBER OF THE HUMAN RELATIONS COMMISSION, for a THREE-YEAR TERM WHICH WILL EXPIRE APRIL 2010.

11. REPORT, Committee on Appointments & Briefings, recommending that the City Council go on record in support of Mayor Lang's efforts to bring Comcast News back to New Bedford and lend him support if and when needed.

12. REPORT, Committee on Appointments & Briefings, recommending that the City Council endorse the School Safe Zone Initiative, sponsored by Jerry Pinto, in the City of New Bedford.

13. REPORT, Committee on Ordinances, recommending that the City Council Approve the Ordinance to change the Zoning on East Rodney French Boulevard, South of Rodney Street, Plot 12, Lot 4, Lots 160-162 from Residence "B" to Mixed-Use Business in their entirety.

13a. AN ORDINANCE,

14. REPORT, Committee on Ordinances, recommending that the City Council Approve the Ordinance to change the zoning west of Riverside Avenue, north of Davis Street on Plot 100, Lots 108 & 112 and Plot 105, Lot 169 from Industrial "B" to Mixed-Use Business.

14a. AN ORDINANCE,

15. REPORT, Committee on Ordinances, recommending that the City Council Approve the Ordinance amending Chapter 2, Article 1, by ADDING Section 2-9, Promulgation of Regulations by Boards, Commissions, Committee and Political Subdivisions.

15a. AN ORDINANCE,

16. REPORT, Committee on Ordinances, recommending that the City Council Approve the Ordinance amending Chapter 18, Parks and Recreation, Section 18-9, Clerk, by deleting Commissioner of Human Services and replacing it with "Director of Community Services or his or her designee shall serve as the Clerk of the Board of Park Commissioners and Recreation Commission."

16a. AN ORDINANCE,

17. REPORT, Committee on Ordinances, recommending that the City Council Approve the Ordinance amending Chapter 2, Article 1, by ADDING Section 2-10, Removal of Board, Commission, Committee or Task Force Members, as amended in Committee.

17a. AN ORDINANCE,

18. WRITTEN MOTION, Council President Pimental, requesting that DPF/DPI design and install signs around all Veterans Monuments in the City of New Bedford cautioning pet owners to curb and/or clean up after their pets; many Veterans have complained about dog droppings by the Monuments, particularly the Korean War Veterans Monument.

19. WRITTEN MOTION, Councillor Coelho, requesting that the Committee on Ordinances, review and/or revise the current Ordinance "Trailers and structures unattached on public ways; penalties – Section 23-22" to prohibit boat owners to store their trailers and boats on public ways for months at a time, taking up parking spaces in highly populated neighborhoods.

19a. COMMUNICATION, Councillor Coelho, submitting correspondence from constituent and pictures re: flatbed trucks, trailers and boats parking on Rochambeau Street. (To be referred to the Committee on Ordinances.)

20. WRITTEN MOTION, Councillors Lawrence & Gomes, requesting that Kathy Dehner, Centre Street Realty, be invited to a Committee on Appointments and Briefings Meeting, to discuss issues as they relate to the City's permitting process, and that City Solicitor Irene Schall, City Planner David Kennedy and Inspectional Services Commissioner Ronald Durgin, be invited to said meeting.

21. WRITTEN MOTION, Councillor Pina, requesting that the DPF and the Mayor's Office look into purchasing additional trash receptacles to be used in different locations throughout the City; and further, that we request variety stores to purchase trash barrels to be placed outside of their establishments, in an effort to eliminate the garbage that is left to accumulate on the sidewalk from customers exiting their stores.

22. WRITTEN MOTION, Council President Pimental, requesting, on behalf of Cove Street Neighborhood Association, that the following street (s) be CLOSED: RUTH STREET, from Salisbury Street to Ashley Street, on SATURDAY, JUNE 30, 2007, from 7:00 a.m. to 6:00 p.m., for the purpose of a FAMILY FUN EVENT.

23. WRITTEN MOTION, Council President Pimental, asking that Coach David Ponte, the Head Lifeguard for the City of New Bedford, implement a plan to keep the beaches, which are currently open 8:00 a.m. to 4:00 p.m., to open later, from 8:00 a.m. to 9:00 p.m., an additional two days a week, and possibly more, thereby keeping the Lifeguards, who are currently working from 10:00 a.m. to 4:00 p.m., on guard later, and allowing people that are working during the day the time to enjoy the City Beaches with their families; and further, that Coach Ponte coordinate with the Kennedy Summer Day Program to implement a Lifeguard Safety Program to teach the children attending the camp swimming and water safety by sending a City Beach Lifeguard to the Camp each morning.

24. WRITTEN MOTION, Councillor Gomes, requesting, that the Committee on Gaming, meet with the Wampanoag Tribe, or any other Indian Tribe interested in locating a casino in the City of New Bedford, for the purposes of again considering the Whaling City Golf Course as a possible location for a casino because of its accessibility to the highway, railroad, and airport; and further, that the City Solicitor's Office look at the present lease for the Golf Course that has been given to Mr. Johnson, in order to see if there is any way the Golf Course can be considered as a possible site, by negotiating with Mr. Johnson, if the site were to be picked by the Tribe or Gaming Committee.

25. WRITTEN MOTION, Councillor Gomes, requesting, that the City's Health Director and Community Services Director meet with Senator Montigny, or an Aide from Senator Montigny's Office, and our State Representatives, or their Aides, and our Committee on Appointments and Briefings to discuss a Bill that would provide a program for treatment, counseling, education, parenting classes, drug testing, housing and job searches for women who are drug users or have been involved in criminal

activities, and that Brenda Grace (see Communication) be invited to said meeting of the Committee on Appointments and Briefings; further, whereas this issue is to address the increasing amount of children being raised by grandparents when mothers and fathers should be doing what the grandparents are presently doing, that the Bill include language to make this protocol mandatory, Statewide, in order to keep children close to their mothers and fathers; and further, that the City Council and Mayor go on record and send a letter to Governor Deval Patrick, requesting that the Governor take a look at the entire program dealing with drug addiction, and how these programs are working, and whether they're working in the affirmative on behalf of the children and, most importantly, the parents.

25a. COMMUNICATION, Brenda Grace, to Councillor Gomes, re: grandparents raising children from troubled homes.

26. WRITTEN MOTION, Councillor Gomes, asking that the City Council Waive Rule 40, and send a letter to Governor Deval Patrick, requesting the Governor to make an emergency appropriation of monies, to be spread across the Commonwealth, for youth jobs this coming summer; while State and Cities are already providing some jobs, there are increasing numbers of young adults that are unable to find jobs this summer, leaving them on the streets with nothing to do; and further, request if the Governor could possibly implement this emergency appropriation as soon as possible throughout the Cities and Towns of the Commonwealth, in order to provide young people with jobs to keep them away from crime, due to the increasing amount of jobs not available in the private sector.

27. WRITTEN MOTION, Councillor Gomes, requesting that the City Council draft a City Ordinance stipulating where clothing collection boxes, now located throughout the City, on street corners and on business properties, etc., would be permitted, so that these clothing collection boxes are not being placed just anywhere, such as at major intersections of the City of New Bedford, creating eyesores and possible hazards.

28. WRITTEN MOTION, Councillor Gomes, requesting that City Department Heads, such as the Commissioners of the Department of Public Infrastructure and the Department of Public Works, take immediate action to clear all the illegal signs that have been tacked on telephone poles and trees across the City; and further, that the Ordinance pertaining to advertising on trees, poles, etc., Sec. 22-13 of the New Bedford City Code of Ordinances, be reviewed, and the possibility of increasing the fines from \$15.00 a day to \$100.00 a day, for posting or advertising on trees or poles throughout the City, creating a fine of \$100.00 a day for those violating said City Ordinance Sec. 22-13. (To be referred to Committee on Ordinances.)

29. WRITTEN MOTION, Councillor Gomes, requesting that the Department of Public Infrastructure and a street cleaning crew clean the entire route of the July 07, 2007, Cape Verdean Recognition Parade, from the intersection of Rockdale Avenue and Union Street, in an easterly direction to Acushnet Avenue, then in a southerly direction on Acushnet Avenue to Grinnell Street, then west on Grinnell Street to Purchase Street, and then north on Purchase Street to School Street; further, that the Department of Public Infrastructure make any repairs to potholes along the parade route for public safety; and further, that all vacant lots located along this route, especially in the Acushnet Avenue--Purchase Street area, be cleaned to ensure that any computers, televisions, tires or trash that have been discarded is picked up before said date of July 07, 2007, for the Cape Verdean Recognition Parade.

30. WRITTEN MOTION, Councillor Gomes, requesting that the State take immediate action to repair Route 18 North and Route 18 South, from Coggeshall Street to the Elm Street Exit, due to the deterioration of the road, cracking and potholes, that may become a safety issue for motorists, and more importantly, motorcyclists traveling on Route 18.

31. WRITTEN MOTION, Councillor Gomes, requesting that the following street(s) be CLOSED: ACUSHNET AVENUE, from Russell Street south to Bedford Street, on SATURDAY, JULY 07, 2007, for the Annual Cape Verdean Recognition Day Basketball Shoot Out; area to be closed as soon as the Cape Verdean Recognition Day Parade passes said area.

32. WRITTEN MOTION, Councillor Alves, asking that the City Council request the Administration to explore and implement an expanded schedule for the Buses currently used to provide bus service to the Ferry Service from the Whale's Tooth Parking Lot to the Pier; and further, to re-institute the bus service loop, discontinued by the Administration, which provided a service connecting many of the Downtown Senior Housing Facilities, in order to provide Seniors living in those facilities access to the Downtown Senior Center, restaurants, shopping and other local merchants, as requested by many of the Seniors who were at the Downtown Senior Center opening event, and who expressed their concerns and difficulties in getting to the Senior Center and to Downtown facilities; this would be a better use of the buses, as opposed to leaving them sitting idle for hours with a driver being paid for the idle time, or that the City use Summer help and the Trolley buses that are owned by the City that are sitting idle and unused on a daily basis.

33. WRITTEN MOTION, Councillor Alves, requesting, on behalf of the Sixth Bristol District Social Club, that the following street(s) be CLOSED: FLINT STREET, between Park Avenue and Daniel Street; PARK STREET, between Flint Street and Ashley Boulevard, on SUNDAY, AUGUST 12, 2007, FROM 9:00 A.M. TO 11:00 P.M., for the purpose of their annual SUMMERFEST.

34. WRITTEN MOTION, Council President Pimental, requesting, on behalf of Seven Hills Behavioral Health, that WILLIAM STREET, from North 6th Street, to Pleasant Street, be CLOSED, on THURSDAY, JULY 12, 2007, from 5:30 p.m. to 6:30 p.m., for "Local Call to Action on Underage Drinking."

35. COMMUNICATION, Mayor Lang, to City Council, submitting a VETO ON JUNE 25, 2007, AT 3:16 P.M., to: REPORT, Committee on Appointments and Briefings, relative to recommending to the City Council to Grant Permission to demolish the building at 194 Riverside Avenue; the Mayor replied that the mill building, built in 1903, has been found by the New Bedford Historical Commission to be of historic significance and recommended that the mill NOT be demolished; he did not believe there was an appropriate amount of discussion or deliberation by the Council, the building is in reasonable condition, and has many uses for this area of the City which will provide economic development opportunities for residents in the way of jobs as well as provide additional tax revenue for the City (mill is adjacent to two other mill buildings which have been renovated); also, the vacant land use is not the best use of the property and will exacerbate the blight that already exists in this area of the City; the Mayor further stated, that he would like to meet with the owner, the New Bedford Economic Development Council and the City Council to find a mutually agreeable, positive solution to Mr. Fitzsimmons' concerns and requested that the City Council sustain the veto.

36. COMMUNICATION, Anne Louro, Preservation Planner/Historical Commission Alternate Member, to City Council, re: 9 structures reviewed by Historical Commission, stating none of buildings retain architectural or historical significance, and that new construction of two CVS stores on Ashley Boulevard, one at Tarkiln Hill Road requires demolition of 3 structures (400 and 404 Tarkiln Hill Road and 47 Flint Street) and one at Sawyer Street requires demolition of 6 structures (132, 134 and 146 Ashley Boulevard and 302, 303 and R295 Sawyer Street.)

37. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 146 ASHLEY BOULEVARD, advising that "the structure is NOT located in a National Register Historic District," and that "the

structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

38. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 134 ASHLEY BOULEVARD, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

39. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 132 ASHLEY BOULEVARD, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

40. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 47 FLINT STREET, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

41. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 400 TARKILN HILL ROAD, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

42. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 404 TARKILN HILL ROAD, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

43. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 301 SAWYER STREET, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

44. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW 303 SAWYER STREET, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

45. COMMUNICATION/BUILDING DEMOLITION REVIEW, New Bedford Historical Commission, to City Council, re: BUILDING DEMOLITION REVIEW R295 SAWYER STREET, advising that “the structure is NOT located in a National Register Historic District,” and that “the structure is not architecturally significant,” therefore, “the NBHC has determined that the building is NOT an historically significant building or structure.”

46. COMMUNICATIONS, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on **May 15, 2007**, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: OSGOOD AND BARNUM STREETS, Plot 130A/Lots 380, 381, 382, 383 and 384, Area of 8,000 square feet. (Former Owner(s): Delia V. Harding.) Total Amount due on the parcel as of the date of the Decree is **\$10,294.32. AND** Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on **May 16, 2007**, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: OSGOOD AND BARNUM STREETS, Plot 130A/Lots 380, 381, 382, 383 and 384, Area of 8,000 square feet. (Former Owner(s): Delia V. Harding.) Total Amount due on the parcel as of the date of the Decree is **\$12,615.02.**
47. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on May 16, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: W.S., ACUSHNET AVENUE, Plot 37/Lot 10, Area of 3,879 square feet. (Former Owner(s): Antonio P. Vincente, U. S. Small Business Administration.) Total Amount due on the parcel as of the date of the Decree is \$23,101.92.
48. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on May 16, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: S.S. BELAIR STREET, Plot 130B/Lot 386, Area of 6,400 square feet; AND N.S. KINGCROFT STREET, Plot 130B/Lot 410, Area of 6,400 square feet. (Former Owner(s): Laurier T. Bellemare and Claire T. Bellemare.) Total Amount due on the parcels as of the date of the Decree is \$23,101.92.
49. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on June 04, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: 131 Tallman Street, Plot 92/Lot 235, Area of 4,122 square feet. (Former Owner(s): Nicholas Chirigotas and Phyllis Chirigotas.) Total Amount due on the parcel as of the date of the Decree is \$80,723.28.
50. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on June 12, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: 45 COVE STREET, Plot 21/Lot 45, Area of 187,463 square feet. (Former Owner(s): G. & L. Bedford Realty, Inc.) Total Amount due on the parcel as of the date of the Decree is \$883,388.48
51. COMMUNICATION, Tax Title Attorney Blair S. Bailey, to City Council, re: Acquisition of New Tax Possession, advising that, on June 14, 2007, the Land Court issued a Decree of Foreclosure, and the City acquired the following property as a Tax Possession: 117 TREMONT STREET, Plot 44/Lot 540, Area of 31,980 square feet. (Former Owner(s): Dawn M. Cohen n/k/a Dawn M. Bergeron.) Total Amount due on the parcel as of the date of the Decree is \$5,646.18.
52. COMMUNICATION, John F. Kerry, United States Senator, to New Bedford City Council, in response to a letter by Rita D. Arruda, City Clerk, regarding a Written Motion by Councillor Gomes on the issue of increasing gas prices.
53. COMMUNICATION, The Coalition for Animals of Greater New Bedford, to City Councillors, thanking the City Council for supporting the Eighth Annual Pet Fest and Walk for Animals.

TABLED BUSINESS

02/23/06 WRITTEN MOTION, Councillor Saunders, requesting RECONSIDERATION on the matter of the COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007. (Appointment Confirmed – Yeas 11, Nays 0 at the regular City Council Meeting on February 09, 2006 Agenda.) (Note: This Item, which is Item #L14 on Late File Agenda was confirmed on a Substitute Motion by Councillor Morad, which was allowed, and Appointments Confirmed on Items L8, L10, L11, L12, L14, L16, L31 and L33.)

02/23/06 COMMUNICATION, Mayor Lang, to City Council, submitting for approval the RE-APPOINTMENT of JOSE GOUVEIA, 112 Bryant Lane, New Bedford, MA, to the HARBOR DEVELOPMENT COMMISSION, whose term expired December 2001. This appointment will expire December 2007.

07/20/06 CITATION, Councillor Pina, honoring PAUL PELLETIER, in recognition of his Years of Service to the Residents of Boa Vista Housing Development as President of the Tenant Association for the past Six Years.

08/17/06 CITATION, Councillor Morad, honoring SPECIALIST ALVARO A. SANTOS, United States Army Reserve, 844th Engineering Battalion, a Heavy Construction Equipment Operator, who served in support of Operation Iraqi Freedom in Kuwait from December 18, 2004, to December 12, 2005, and was awarded the Army Achievement Medal, the National Defense Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Armed Forces Reserve Medal with “M” Device, Army Service Ribbon and the Overseas Service Ribbon.

08/17/06 CITATION, Councillor Pina, honoring BELMIRO FERNANDES, United States National Guard, in recognition of his serving our County in Operation Iraqi Freedom, from September 06, 2005, until July 06, 2006.

08/17/06 RESOLUTION, Council President Alves, recognizing AUGUST 09, 2006, as COMCAST/TOON DISNEY’S PASSPORT TO READING DAY IN NEW BEDFORD.

08/17/06 RESOLUTION, Council President Alves, honoring POLICE OFFICER PAUL FONSECA for his HEROIC ACTIONS AT THE SAVOY NURSING HOME FIRE – JULY 23, 2006.

01/25/07 WRITTEN MOTION, Councillor Pina, requesting, on behalf of the residents of Hillman Street, that the Traffic Commission issue Residential Parking signs to the neighbors surrounding the Quest Center and New Directions, as the employees, and visitors, are taking up all the parking spaces, and, since there is no residential off-street parking at their homes, the residents are in need of parking places.

02/08/07 HEARING, on APPLICATION of CYNTHIA AND ERIC BELINKOFF, 366 HATHAWAY REALTY TRUST, 366 HATHAWAY ROAD, NEW BEDFORD, MA 02740, requesting AN INCREASE in License to keep, store and/or sell products of CRUDE PETROLEUM or any of its products, at 366 HATHAWAY ROAD, being Plot 94, Lot 20; Application is for 40,000 GALLONS (from 25,520 gallons) of gasoline and diesel fuels underground. (License for 25,520 gallons was previously granted on September 13, 1973, to Texaco, Inc., and registered to 366 Hathaway Realty Trust in August 2006.) (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

02/08/07 AN ORDER, (In City Council February 08, 2007 – Tabled until next Council Meeting – February 22, 2007.) (In City Council February 22, 2007 – Motion by Councillor DeMedeiros to keep item on the Table ADOPTED – All Ayes. – TABLED.)

05/24/07 CITATION, Councillors Alves and Pina, honoring P.A.C.E. (PEOPLE ACTING IN COMMUNITY ENDEAVORS,) in recognition of 25 Years of Service to the Greater New Bedford Area.

05/24/07 RESOLUTION, Councillors Alves, Morad, Saunders and Pina, honoring DPI COMMISSIONER RONALD LABELLE in recognition of his receiving the National Association of Clean Water Agency’s 2007 Local Public Service Award, presented at the NACWA 2007 Forum on May 07, 2007 in Washington, D.C.

06/14/07 RESOLUTION, Councillor Coelho, honoring the DAY OF PORTUGAL COMMITTEE and the TENTH ANNUAL DAY OF PORTUGAL.